

Stark County Planning and Zoning Commission Minutes

April 28, 2016
3:00 pm

Chairman Russ Hoff called the meeting of the Stark County Planning and Zoning Commission to order. Chairman Hoff, Kurt Froelich, Gene Jackson, Sue Larsen and Jay Elkin were present, and absent were Klayton Oltmanns, Duane Grundhauser, Byron Richard, and Daneen Dressler. Also present were County Planner Steve Josephson, States Attorney Tom Henning and Nicole Roberts of the Auditor's office.

Jay Elkin moved to approve the minutes from the March 31, 2016 meeting. Sue Larsen seconded. All voted Aye and motion carried.

Chairman Hoff opened the public hearing on a request from Baranko Brothers, Inc. The request is for a Conditional Use Permit for Excavating and Mining of topsoil and borrow dirt located in the NE ¼ of the NE ¼ of Section 6, Township 139, Range 98 containing approximately 129 acres. The actual excavation site will be approximately 4 acres in area.

Chairman Hoff asked for anyone to speak either for or against the Conditional Use Permit for Baranko Brothers, Inc. Chairman Hoff closed the public hearing.

Jay Elkin moved to recommend to the Stark County Board of Commissioners the approval for the Conditional Use Permit for Excavating and Mining of topsoil and borrow dirt located in the NE ¼ of the NE ¼ of Section 6, Township 139, Range 98 containing approximately 129 acres following staff recommendations for Baranko Brothers, Inc.

Kurt Froelich seconded. Roll call vote. All voted Aye and the motion carried.

STAFF RECOMMENDATION: Approval of the proposed conditional use permit based upon the following findings:

1. The location of the proposed project should not adversely impact the existing agricultural uses in the vicinity; and
2. The conditional use shall be limited through the inclusion of the following conditions.
 - a. **The location of the borrow pit shall be as generally shown on the drawings received with the application dated April 8, 2016;**
 - b. **The conditional use permit for the borrow pit shall expire on December 31, 2016. The permit may be extended by the Stark County Commission upon written application of the owner of the property or authorized representative provided that the extension is for the same use as specified in the original permit and that the applicant is in compliance with the terms and conditions specified in the original permit.**
 - c. **All mining and excavation sites must have at least a 3-to-1 slope.**
 - d. **The developer shall be responsible for all maintenance and dust control associated with the borrow pit facility.**
 - e. **The applicant shall report to the Zoning Administrator when the borrow pit operation is no longer in use. Reclamation of the site shall be completed within one year of the resource being exhausted, abandoned, or closure of the operation of the site. All top soil shall be replaced and planted with natural protected vegetation.**

- f. Any proposed change of the conditional use permit, including location of the facility, shall require a hearing before the Stark County Planning and Zoning Board and approval from the Stark County Commission.**
- g. The permit may be revoked by the County Commission anytime the applicant is in non-compliance with any of the conditions set by the Planning and Zoning Board or the County Commission for the issuance of the permit.**
- h. Development and operation of the borrow pit shall be performed in accordance with all applicable County, State and Federal rules and regulations.**

Steve Josephson, County Planner discussed the following items:

- Potential two-acre residential zoning district;
- Zoning ordinance amendment for residential accessory structures;
- Proposed amendment to the Industrial Zoning district to add a conditional use for storage and/or processing hazardous materials; and
- Rezoning of properties that recently entered the ETZ.

Sue Larsen moved to adjourn, Jay Elkin seconded.